

Business Continuity Plan for Emergencies – 05-X-37296
March 28, 2005
Addendum #03

Question # 1 Section 1.2 Background, Pg 8 – What departments are there within each of the functional units contained within the Commission?

Answer: The contractor must include a working session with each of the functional divisions, as well as conduct interviews with Chief of Staff, Public Information Officer and the General Counsel. The functional divisions are: (1) Administration - consists of four units that provide human resources, budget & fiscal, information technology and administrative services for the operation of the CCC; (2) License Division - consists of four operating units that are responsible for all phases of casino employee licensing, business enterprise licensing and casino alcoholic beverage licensing; (3) Compliance Division - consists of two operating units responsible for assuring that each casino licensee has a system of effective controls over its gaming operation and is in compliance with the requirements of the Casino Control Act and related regulations in the area of gaming operations; reviews internal control submissions filed by casino licensees and reviews new gaming equipment, new games, and new rule operations on existing games; the CCC inspectors monitor gaming activities and observe the collection, counting and certification of all gaming revenues; this division also handles patron complaints; (4) Division of Financial Evaluation - consists of three units that are responsible for the appraisal and study of casino finances and overseeing the financial reporting requirements of the casino industry; (5) The General Counsel's Office is composed of three units: the Licensing Unit, the Compliance Unit and the Casino Licensing and Regulatory Affairs Unit. The Licensing Unit advises the Commission on the majority of the agency's contested cases; the Compliance Unit provides legal advice to the Commission and its Compliance Division on matters relating to accounting and internal controls, gaming equipment, the rules of the games, casino floor expansions and the approval of new wide-area progressive slot machines; The Casino Licensing and Regulatory Affairs Unit handles all casino licensing and renewals and responsible for regulatory review.

Question # 2a Section 1.2 Background, Pg 8 – Has the BCP been updated annually.

Answer: Yes

Question # 2b How has the plan been tested?

Answer: Not Tested.

Question # 3 Section 1.2 Background, Pg 8 – Does IT fall within one of the functional divisions? Is this an IT based plan, or does it include the four functional divisions plus information technology?

Answer: IT is part of the Administration Division. This is not an IT based plan; the intent of the BCP is to identify what needs to be done to continue business operations if there is no access to the Commission building in AC, who will execute the steps defined in the Plan and from what location. There is a desire to determine the priority of IT applications that must be restored at the predefined disaster recovery site in Trenton in the event of a disaster that results in the AC Commission building uninhabitable for the specified time periods of one, five or thirty days.

Question # 4 **Attachment 5, Pg 43 –Should we show consulting fees and expenses (such as travel) on separate line items so that the Consulting Fees can be compared appropriately?**

Answer: This RFP is consistent with the State's methodology of Firm Fixed Pricing, which is defined in Section 2.1 on page 13 of this RFP. The bidder should price the Business Continuity Plan for Emergencies consistent with the Pricing Schedule (attachment 5 on page 43 of this RFP) in order to provide consistency among bidders during the bidding process. There will be no extra or separate payment for consulting fees, expenses or travel. All costs must be factored into the bid lines. No payment will be made to contractors beyond those specified in the Price Schedule.

Question # 5 **Attachment 5, Pg 43 – Can the Bi-Weekly Status reports be conducted over the phone, as well as in-person?**

Answer: Phone based status meetings would suffice in the latter stages of the project; however, in person meetings would be preferred in the first few weeks.

Question # 6 **Page 14, section 3.1 - What business functions/units are in the scope of work in each of the functional divisions at the CCC in the Arcade Building?**

Answer: Refer to the answer to Question #1.

Question # 7 **Page 14, section 3.3 - What functions exist in Trenton and at the two alternate sites in Atlantic City, and are they in the scope of the RFP?**

Answer: The Trenton office is currently used as an alternate work location for Commission employees that conduct business at the State Capitol. There are four desks equipped with phones and PC's, a small conference room and table, copier and fax machine. All day-to-day connectivity is provided via Garden State Network to application resources at the Commission building in Atlantic City. Disaster recovery capability exists on one model 800 iSeries and two HP servers that would be used to recover email and a small set of applications only.

Question # 8 **Page 15, section 3.6 - What is the overall timeline for project completion?**

Answer: 8 weeks.

Question # 9 **Page 21, section 4.4.4 and page 43, Attachment 5 – Price Schedules:**

Part 1 - Has the State of New Jersey allocated an overall budget for the project? If so, what is the total value of the proposed contract?

Part 2 - Is the Price Schedule format on page 43 the required pricing proposal format? In our experience this breakdown may not be the most efficient way to consider the components of a BCP project of this level of complexity. For example, we typically include status meetings and reports in our "project management" fee component. Please provide guidance on this approach.

Answer:

Part 1 – Sufficient funding for the project has been encumbered; however, the accepted bid will determine the final price.

Part 2 - Refer to the answer to Question #4.

Question # 10 Background, Section 1.2 - Is the 650 sq ft of office space listed in the Background for IT use?

Answer: This is the workspace for any office activity, four desks and a small conference room with table and chairs. Equipped with phones, PC's, copier and fax machine. Refer to Question #7 for additional information.

Question # 11 Background, Section 1.2 - The platform described includes an IBM i-series (model 800) midrange server and HP servers. How many HP servers are there?

Answer: There are two HP servers that will act as domain controller and application server.

Question # 12 Background, Section 1.2 - The scope of duties listed in the methodology includes plan exercise and maintenance. Can you clarify the requirements for BCP testing and maintenance as it relates to the work to be done by the selected contractor?

Answer: The tasks included in future tests of the plan should be identified by the Contractor in the BCP. In addition, the maintenance section should include those reference materials required to perform business continuity for the timeframes specified.

Question # 13 Working Session, Section 3.1 - This section has a requirement to produce separate BCP's for each functional area. Does the scope of the 'Business Continuity Plan' include IT recovery and the recovery of business processes (e.g. work centers, office procedures) for each function?

Answer: The intent of the BCP is to identify what business operations are deemed most critical that need to be performed in the event that no, or limited IT resources are available, and how the business will operate. Any mission critical function that must be supported with IT resources should be prioritized for the Commission so that the appropriate IT recovery plans can be established.

Question # 14 Working Session, Section 3.1 - Does the BCP scope include Emergency Management procedures (e.g. event management and communications, building damage assessment)?

Answer: At a minimum, the BCP should identify a plan for communications to those organizations and key parties (general public, other state agencies, casino personnel and casino employees, as well as Commission employees).

Question # 15 Working Session, Section 3.1 - Will the selected vendor have access to CCC IT, application and business process subject matter experts throughout the engagement (past the working sessions)?

Answer: Yes.

Question # 16 Business Resumption, Section 3.3 – Although this section states that the Trenton location is prepared to handle all CCC communications, there is no indication of the readiness of the alternate sites in Atlantic City. Do you anticipate that the selected vendor will assess these sites and make site recommendations to support any strategies developed?

Answer: Through the identification of what business process would be required to support business continuity, the vendor should gain consensus on what locations would be best to perform each function. For example, if holding a public meeting is deemed critical, a location should be identified as the most favorable for that function, in addition, to what material, equipment, etc. would be required to execute the function.

Question # 17 Information Technology, Section 3.5 - Can you provide an estimate of the number of applications that are to be included in the BCP for each function?

Answer: It is estimated that less than ten applications will surface as mission critical for business resumption in an alternate location for a period of less than or equal to 30 days.

Question # 18 Draft and Final BCP for Emergencies, Section 3.6 - This section provides the due dates (draft and final) for the Business Continuity Plan. Section 3.1 required that separate BCP's be built for each function. Will there be separate timings for each plan or will the overall schedule and due dates apply to all?

Answer: Recommend that the entire BCP be delivered within the two week timeframe after collecting all pertinent information.

Question # 19 Draft and Final BCP for Emergencies, Section 3.6 - Could further clarification regarding the scheduling of the project be provided? When does the contract period start and end? Section 3.6 mentions deadlines for preparation of the draft and final copies of the plan based on completion of preceding tasks. However, it is not clear when these tasks are to be completed or the duration allowed for them. Can this information be provided?

Answer: Refer to the answer to Question #8

Question # 20 Purpose and Intent, Section 1.1 - The NFPA 1600 Standard encourages an all hazards approach to planning. This section references hazards to be considered as acts of war, terrorism or natural disaster. Are vendors to also consider additional human-caused events including but not limited to hazardous materials, explosions, fires, energy/power/utility failure?

Answer: Yes.

Question # 21 Background, Section 1.2 - Is the scope of the Business Continuity Program and associated plan limited to the functional divisions of the Casino Control Commission (Compliance, License, Administration and Financial Divisions)?

Answer: No, also includes areas that may surface with discussions with Chief of

Staff, General Counsel and Public Information Office.

Question # 22 **Background, Section 1.2 - Will the Casino Control Commission provide access to the complete inventory of IT applications that the functional divisions use to perform their business functions?**

Answer: Yes.

Question # 23 **Background, Section 1.2 - Are there Information Technology Disaster Recovery Plans currently in place for the complete inventory of applications? If so, can they be made available?**

Answer: The IT Disaster Recovery Plan includes only email restoration.

Question # 24 **Background, Section 1.2 - Reference is made to Critical Functions on page 3 of the BCP Summary (Appendix #3). Does the Casino Control Commission have documented Recovery Time Objectives (RTO) or Recovery Point Objectives (RPOs) for the critical functions and associated applications listed on page 3 of Appendix #3?**

Answer: No. Those are items that would be included in this scope of work.

Question # 25 **Background, Section 1.2 - Can you provide additional information regarding the number of employees and functional divisions that have been provided the technology tools to work in a virtual work environment (home, hotel, alternate work location)?**

Answer: Currently, the Disaster Recovery location in Trenton has four desks equipped with phones and PC's, one copier and fax machine, as well as a small conference room and table. Although some employees are equipped with laptops, or the ability to dial in to the existing IT LAN, there are no defined plans to conduct work in alternate work locations if the existing IT LAN is unavailable.

Question # 26 **Background, Section 1.2 - Reference is made to the lack of detail regarding time sensitive business processes and staff. Has the senior leadership team made any decisions regarding which business divisions have the most time sensitive business processes? If so, can this information be made available?**

Answer: No, that is part of this scope of work.

Question # 27 **Background, Section 1.2 - Reference is made to connectivity to the Garden State Network for access to the internet and other state resources. Is Garden State Network access available at both of the two (2) alternate locations identified in the Atlantic City area?**

Answer: No.

Question # 28 **Background, Section 1.2 - Are there offices located in the Atlantic City area that have Garden State Network access that may be considered as work area recovery sites under certain scenarios?**

Answer: Yes, the Division of Gaming Enforcement has an office in the AC area that may be considered.

Question # 29 **Scope of Work, Section 3.0 - Does the Casino Control Commission have copies of the following information that they will provide to the Contractor?**

- **Business Continuity Program**
- **Risk Assessment(s)**
- **Business Impact Analysis**
- **Business Continuity Plan Document(s)**
- **Information Technology Disaster Recovery Plan(s)**
- **Emergency Action Plan(s) for primary office located at the Arcade Building.**

Answers:

- Yes, provided
- Not available
- Not available
- Yes, provided
- Yes, will be made available to contractor awarded this work.
- Established contact lists, a building evacuation plan but not a developed emergency action plan.

Question # 30 **Working Session, Section 3.1 - Your requirements include the completion of at least one on-site study at the Commission headquarters. Will you accept a proposal that also includes an on-site site visit to the Trenton, New Jersey Disaster Recovery Site and the two alternate work area recovery sites located in Atlantic City?**

Answer: Yes.

Question # 31 **Working Session, Section 3.1 - Who will be serving as the Casino Control Commission Project Manager for coordinating those site studies?**

Answer: Manager of Administrative Operations, Division of Administration.

Question # 32 **Working Session, Section 3.1 - Will it be the Contracts Manager or some other designated representative to serve as the Commission's Project Manager?**

Answer: Commission's Manager of Administrative Operations

Question # 33 **On-Site Study, Section 3.2 - Will you be expecting the selected contractor to use any specific industry standards as the basis of developing the assessment and plan?**

Answer: It is expected that the contractor utilize an industry accepted standard to develop the plan, with no preference regarding which standard.

Question # 34 **On-Site Study, Section 3.2 - We assume that the on-site study report is an assessment of the existing Business Continuity Program and associated business continuity plan. We also assume that the assessment will include a gap analysis, observations and recommendations for management's consideration. Do you have additional details regarding your expectations of the Contractor regarding the table of contents of the written report?**

Answer: In addition to the above, it is also expected that through working session with each functional division, plans will be developed to continue critical business operations if the AC building is inaccessible for the periods of time defined. Also, a consensus regarding the priority of IT applications to support those critical business operations must be determined for the Commission.

Question # 35 Business Resumption, Section 3.3 - Are there any accountabilities and basic steps identified for business resumption or crisis management currently in place in the existing plan documentation? If so, can this information be made available?

Answer: No other details regarding business resumptions steps for each of the functional divisions are known.

Question # 36 Escalation Plan, Section 3.4 - Reference is made for the need to develop an escalation plan in Section 3.4 of the RFP. The RFP states that there is a requirement to identify one individual of the Commission, by title, who will act as the responsible person to manage the process effectively. Is there an existing Business Continuity Program Leader assigned within the Casino Control Commission that is accountable for the planning, implementation, monitoring and measurement and continuous improvement of the Business Continuity Program and associated plan.

Answer: None specifically defined.

Question # 37 Escalation Plan, Section 3.4 - Are the requirements outlined in Section 3.4 of the RFP for managing the overall business continuity process or for managing the emergency contact list.

Answer: The overall business continuity process.

Question # 38 Information Technology, Section 3.5 - Does the CCC have process flows in place today that map the business processes to the business applications and end user software packages that are required to perform the critical functions that follow?

- (1) Revenue Certification**
- (2) Issuance of License Credentials**
- (3) Internal Control Submissions**
- (4) Hearings and Public Meetings**
- (5) Budget Functions**
- (6) Human Resource Functions**

Answer: Each organization maintains SOP's but no document process flows in place, except for Human Resources.

Question # 39 Information Technology, Section 3.5 - How many applications does the CCC anticipate will need to be prioritized?

Answer: Refer to the answer to Question #17

Question # 40 Information Technology, Section 3.5 - Reference is made to vital records retention for the backup tapes for the AS/400 and LAN-based

data in Appendix #3. Does the Casino Control Commission have an existing vital records policy and associated program?

Answer: Yes.

Question # 41 Information Technology, Section 3.5 - Does the vital records policy and associated program include copies of printed documents and other key information that is not stored electronically?

Answer: Yes, there are vital records stored off site with the NJ Archives.

Question # 42 Proposal Content, Section 4.4 - Table on page 17 lists the forms that must be included in the response; however' it does not list the forms for compliance with EO 129 and EO134. Please confirm the list of required forms for the proposal response.

Answer: Executive Order 129 form is attachment 6 in the RFP. Executive Order 134 form can be located on the Purchase web site @ www.state.nj.us/treasury/purchase/execorder134.htm. However, the EO 134 form is to be submitted by the contract awardee after a notice of intent to award is issued. EO 134 is not to be submitted in the bid proposal.

Question # 43 Subcontractors, Section 4.4.3.8 - Please clarify the statement relative to NJAC 17:13-4? How does this provision apply to a situation where only one subcontractor is used. Please also clarify whether or not the use of small or MWBE firms is a requirement or simply encouraged for this opportunity.

Answer: Addendum #02, which was posted to the RFP on March 17, 2005, contains language that expects a good faith effort on behalf of the potential contractor to subcontract with a small business. Review Addendum #02 for more details.

Question # 44 Attachments, Section 7.0 - Could they State provide MS Word versions of the forms and cost proposal templates?

Answer: No.

Question # 45 Appendix 1 and Section 5 contain terms and conditions which differ somewhat from the State's terms and conditions attached to other recent procurements. For example, we could not find a limitation on liability within these sections of this RFP. For comparison purposes, the state's recent solicitation for an Automated Child Support Enforcement System contains a limitation on liability equal to 150% of the contract value (please see section 5.29 of that solicitation). In addition, the indemnification language included is broader than we have typically seen.

The intention would be to propose alternate language within our proposal that would hopefully meet the needs of all parties involved. We have successfully done so in other similar situations. Given the statement above however, we would seek some clarification that we could do this without penalty. We are very interested in this initiative but obviously want to ensure that our proposal is considered if we make the investment to respond.

Answer: Any questions to the Terms and Conditions should have been raised during the Question and Answer period, which ended on March 21, 2005. Any alternative language that is interpreted as a refusal to accept a contract to perform work under the terms specified in the RFP will form a basis to find the bidder non-responsive to the bid submission requirements.